

INITIAL STATEMENT OF REASONS

Performance Based Hazard Reduction, 2006

[Published August 26, 2005]

Title 14 of the California Code of Regulations (14 CCR):

Amend or Adopt:

Amend: 14 CCR § 957 Hazard Reduction

Adopt: 14 CCR § 957.11 Performance Based Hazard Reduction

Adopt: 14 CCR § 957.12 Treatment of Logging Slash to Reduce Fire Hazard

The Board is promulgating a regulation which provides flexible standards for treatment of logging slash in order to reduce fire and pest hazard in logging areas, in accordance with goals under 14 CCR § 957. The new regulation provides a Registered Professional Foresters (RPFs) preparing Timber Harvesting Plans (plan) the opportunity to develop the slash treatment components based on a set of “performance standards”, instead of the existing prescriptive requirements. In general, a performance standard regulation means a regulation that describes an objective with the criteria stated to meet the objective. The proposed regulation is expected to provide “regulatory relief” in that a wider range of treatment methods may be established by the RPF, when in conformance with the Forest Practice Act and the Rules of the Board. The regulation is a “pilot” regulation which the State Board of Forestry and Fire Protection (Board) will monitor and evaluate for a limited period of time (three years).

PUBLIC PROBLEM, ADMINISTRATIVE REQUIREMENT, OR OTHER CONDITION OR CIRCUMSTANCE THE REGULATION IS INTENDED TO ADDRESS

The Board recognizes the extensive wildfire hazard existing on private forest lands resulting from the combination of increasing quantity and arrangement of natural vegetation. This hazard requires the Board to be diligent in proposing forest practice regulations that are effective in reducing the potential additional fuel hazards created by logging operations. In addition to the fuel hazard, risks of wildfire ignitions continue to increase as such factors as population increases, climate changes, and migration of people into the “wildland urban interface” occur. Addressing the need to decrease wildfire threats to human assets and natural resources throughout the forests of the State are primary policy and regulatory concerns of the Board.

Timber harvesting operations have a significant influence on the wildfire hazards. Timber harvesting can significantly change fuel quantities and arrangements and can have either positive or negative affects on wildfire ignition and behavior. One of the important factor in harvesting operations is to treat left over fuel (slash) generated during logging operations. Existing California Forest Practice Rules (FPRs) include requirements to reduce fire and pest hazards resulting from slash generated during

harvesting operations. However, existing rules permit a limited number of slash treatment methods to reduce hazards, existing rules include detail compliance requirements (that have historically been demonstrated to be effective), alternative treatments to existing rules can be a time consuming process for plan submitters. The Board recognizes that meeting the goals of reducing fire and pest hazards in accordance with the FPRs can be accomplished in a wider number of ways, when considering all site specific factors such as estimated amount and distribution of slash to be created by the operation, type of remaining vegetation, topography, climate, degree of public exposure, and fire history. A wider range of methods may provide the plan submitter the opportunity to both highly meet hazard reduction requirements and do so in a more cost effective manner.

To encourage more effective slash treatments that both better reduce hazards and provide more cost effective treatment methods, the Board is proposing a “performance based” regulation that establishes broad criteria to meet FPR goals to reduce the fire and pest hazards resulting from flammable debris (slash) created during timber harvesting. Simply, the performance standard regulation means a regulation that describes an objective with the criteria stated to meet the objective. This is different from existing “prescriptive regulations”, which require specific activities to be accomplished, with lesser emphasis on adapting slash requirements to site specific condition and focusing on the end result goals.

SPECIFIC PURPOSE AND NECESSITY OF THE REGULATION

The primary purpose of the rule is to create a performance based regulation that describes the criteria and goals necessary to meet hazard reduction requirements of the FPRs. The following subsections describe the goals and establish the criteria for hazard reduction related to slash treatment:

Section 957

Section 957 establishes that an RPF may use either existing regulations that address hazard reduction or use the proposed performance based rules. It also indicates that the proposed rule will expire on December 31, 2009.

Necessity: The section is necessary as it provides the option for the RPF submitting a plan to use either existing rules or the proposed rule. This provides maximum flexibility for the plan submitter to choose a slash treatment method based on their evaluation of how to best meet hazard reduction goals and produce cost efficiency.

A sunset date for the regulation is necessary because the Board found that the proposed rule is experimental in nature, would like to formally evaluate the outcomes of the regulation, consider needed changes, adopt amendment based on monitoring, and terminate the rule if goals have not been met.

Section 957.11

Section 957.11 defines the goals the performance based slash reduction treatments must accomplish. These goals include: provide a level of fire and pest protection to property and resources that meets or exceeds the intent of protection provided under 14 CCR § 957 through 957.8; provide information for direction for RPFs on how to prepare a slash reduction plan; provide information for direction for the timber operators implementing the slash treatments; and provide direction for CDF in its review, approval, inspection, and monitoring of the slash treatments.

Necessity: Key to the effectiveness of a performance standard regulation is clear identification of the goals which must be attained. Performance standard regulations focus more on the attaining an end result then how the end result is accomplished.

Section 957.12

Section 957.12 defines the locations where slash treatment apply and details the criteria the RPF must consider in developing slash treatments. These are the criteria which will be used to determine if the performance goals are met. The area applicable for the slash treatments includes the plan area, adjacent roads, but excludes appurtenant roads.

Necessity: Key to the effectiveness of a performance standard regulation is clear identification of the criteria to be used to measure if the goal has been attained. Also, establishing criteria is necessary so the Board, Department and public are able to assess that adequate environmental protections are attained. The focus of the regulation on the plan area and adjacent roads is necessary as these are the area where slash generated from logging operations occur in substantial quantities and where risks from ignitions can occur. Appurtenant roads are excluded as slash is typically not generated in quantities along these roads to require treatment needs.

Section 957.12 (a)(1-5)

Section 957.12 (a)(1-5) lists the criteria the RPF must consider in developing slash treatments. Among the criteria are site specific considerations including amount and distribution of slash, type of remaining vegetation, topography, climate, degree of public exposure, and fire history.

The RPF must also document other criteria used to develop the slash treatments. The documentation must include a description of all the slash treatments to be used and the locations of treatments. Other documentation includes discussion of timing of slash treatments, precautions employed to avoid fire escape when using broadcast burning, precautions taken during slash treatment to protect wildlife and beneficial uses of water, and treatments adjacent to roads and human inhabited houses.

Necessity: Fundamental to establishing unique slash treatment plans is consideration of site specific factors which will influence treatment methods. Section 957.12 (a) provides

the typical site factors that will affect slash treatment decisions and are useful for criteria to measure goal attainment.

Section 957.12 (a)(1-5) is necessary as the criteria for hazard reduction goals must be consistent requirements under by the FPRs, and usable for the Department for their determination of plan adequacy. Item (1) is necessary as the timing of burning treatments is related to potential “fire escapes” and the risk of starting unintended wildfire. Item (2) is necessary because a clear identification of the precautions used during burning indicates the risk of fire escape and potential damage to other resources. Item (3) is necessary as identifying the precautions being taken to protect natural resources demonstrates goal attainment related to protecting beneficial uses of water and other resources required by the FPRs. Item (4) is necessary as information demonstrating adequate treatment near roads is important to hazard reduction because fire ignition near well traveled, human inhabited areas are frequent. Item (5) is necessary for demonstration that adequate hazard reduction has been done near likely ignitions sources (houses) and slash treatment methods conducted near homes are congruent with potential impacts on people.

Section 957.12 (b) (1-4)

Section 957.12 (b) (1-4) details other operational criteria that must be met when slash treatment using burning as a disposal method is used. These include conducting operation only at times safe for burning and in accordance with law; preparing slash piles that are sufficiently free of non combustible material; requirements for follow-up treatments for ineffective slash treatments; and protection of residual trees.

Necessity: Operational criteria related to burning methods are necessary for assisting in determining if performance standard goals are being attained. Criteria that slash treatment method involving burning be conducted in a safe and effective manner are necessary to ensure the goals of hazard reduction and protection of residual forest trees are attained. Item (1) is necessary to ensure that burning slash is done outside the hazard fire season and done in a manner consistent with air quality and other laws related to burning operations. Item (2) is necessary to ensure that pile burning is conducted in an effective manner. Item (3) is necessary to ensure that inadequately burned piles are retreated in order to meet goals related to fire hazard reduction. Item (4) establishes the criteria that slash burning shall result in the minimizing damage to residual trees to a point that does not reduce the stocking to a level below minimum FPRs stocking requirements. This level of stocking ensures that natural and economic resources provided for by trees are retained.

Section 957.12 (b) (5-7)

Section 957.12 (b) (5-7) establishes administrative requirements for the plan submitter. These include the need to provided the information the RPF used to develop the slash treatment methods to the Director when requested by the Director; a burning permit for operations with unusual fire hazards; and notification to the Director of CDF of the time

of place of burning.

Necessity: Administrative criteria are necessary to ensure that fire hazard reduction performance goals are conducted in a safe manner. Item (5) gives the Director the discretion to ask the RPF for more information to demonstrate that proposed slash treatment methods meet goals. Item (6) and (7) are necessary to ensure safe burning operations and minimizing of escape fires. When the Director determines that unusual hazard are found in the plan area, more information detailing operational actions will help ensure burning operations do not start wildfires. Also Item (7) is necessary to help alert Department suppression forces that burning operations are likely to occur and assist in pre-suppression preparation.

ALTERNATIVES TO THE REGULATION CONSIDERED BY THE BOARD AND THE BOARD’S REASONS FOR REJECTING THOSE ALTERNATIVES

The Board has considered alternatives to the regulation proposed. The alternatives primarily relate to specificity of the criteria necessary to demonstrate attainment of the performance goals.

Alternative #1: Detailed Criteria to Demonstrate Attainment of Hazard Reduction Goals

This alternative established a detailed list of “goals” “objectives” and “Range of Acceptable Results”. The objectives and results generally reflect the criteria needed to demonstrate goal attainment. Shown below are the considered goals and objectives along with the detailed “Results” criteria used to measure attainment:

Hazard Reduction

Goals:

- *Reduce wildfire hazard in the area*
- *Increased suppression efficiency*

Objectives:

- *Minimize the reduction of effective ground cover.*
- *Provide for the retention of some large woody debris within areas of operations.*
- *Provide for low surface fuel loadings adjacent to permanent roads which are available for unrestricted public use.*
- *Provide protection for other resource values within areas of harvest and fuel treatment operations.*

Range of Acceptable Results:

- *Maintain 50 to 90% soil surface cover.*
- *Large woody debris may be retained up to 3 logs per acre, averaged over 40 acres.*
- *Retain 90 to 100% of visual retention, habitat retention areas, and WLPZ elements designated for retention in the areas of operations.*
- *Slash to be treated by mechanical or hand methods shall be completed prior to fire season.*
- *Burn piles shall be >50% consumed within 18 months of their creation.*
- *Achieve a 4 foot flame length target for 80th percentile fire season weather conditions.*

Slash Treatment

Goals:

- *Achieve reforestation*
- *Maintain forest health*
- *Improve wildlife habitat*
- *Reduce wildfire hazard*

Objectives:

- *Provide for access to sufficient mineral soil for planting or natural regeneration.*
- *Minimize the reduction of effective ground cover.*
- *Provide for the retention of some large woody debris within areas of harvest operations.*
- *Provide for the retention of snags across the landscape.*
- *Provide protection for other resource values within areas of harvest operations.*

Range of Acceptable Results:

- *Achieve 300 point count for areas which require artificial or natural regeneration.*
- *Maintain 50 to 90% soil surface cover.*
- *Retain 2-3 logs per acre, averaged over 40 acres.*
- *Retain 1.5 to 2 snags per acre, averaged over 40 acres, unless worker safety precludes.*
- *No accelerated erosion or deleterious quantities of debris delivery to waters of the state.*
- *Retain 90 to 100% of visual retention, habitat retention areas, and WLPZ elements designated for retention in the areas of operations.*
- *Slash to be treated by mechanical or hand methods shall be completed prior to fire season.*
- *Burn piles shall be >50% consumed within 18 months of their creation.*

Prohibited Activities:

- *Tractor operations in areas delineated for cable operations unless agency approved.*

These goals, objectives and ranges of acceptable results were designed for a specific project and represent an example of the application of the hazard reduction performance standard. While these performance goals and criteria will in part be applicable for all plans, they were rejected as some items would be too specific for a broad regulation that applies to all projects. Each project must be specifically designed to establish goals, objectives and ranges of acceptable results based on the unique circumstances. Using detailed criteria for the regulation would inhibit the purpose of this proposed regulation by limiting viable choices for adequate hazard based on site specific situations.

Alternative #2: Proposed Regulation Applicable to a Specific County Only

This alternative gives consideration to the location where the regulation would apply. Consideration was given to applying the regulation to a single county in order to limit its scope of application. Being an experimental “pilot” regulation, there is concern that should administrative problems result for this use of the regulation, limiting it to a narrower geographic scope would limit the risk of adverse outcomes.

This alternative was rejected as it would likely not provide an adequate sample of projects where plan submitters choose to use the proposed regulation, leaving the “pilot” project with limited information to determine its success.

POSSIBLE SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECTS AND MITIGATIONS

The Board has considered adverse environmental effects from the proposed action. Such consideration was conducted to meet California Environmental Quality Act (CEQA) requirements for a project by using the functional equivalent certification to an EIR granted to the Board for its rulemaking process. In general existing requirements of the FPRs were determined to be appropriate to mitigate potential adverse impacts to a level less than significant. All the operation provisions of the Forest Practice Rules (Title 14, CCR Chapter 4, 4, 5 and 10) apply to the proposed regulation. The standard operational provisions have been determined to be effective for environmental protection and have been certified as a by the Resources Agency Secretary as a functional equivalent to an Environmental Impact Statement. Together, the standard provisions of the Forest Practice Rules and the unique protective requirements of this regulation are expected to provide an insignificant level of environmental impacts.

Analysis has identified several resources that may be potentially affected, with discussion on how potential affects are mitigated.

Cultural sites: Project activities can affect cultural resources. The requirements for archaeological review as described FPRs were determined to be appropriate to mitigate potential adverse impacts to a level less than significant. By implementation of the listed tasks required in the FPRs, particularly with an archaeology trained RPF, significant archaeological and historic sites would be adequately protected.

Water Quality: The requirements for protection of the beneficial use of water as described FPRs were determined to be appropriate to mitigate potential adverse impacts to a level less than significant. Regardless the various treatments proposed by the RPF under this regulation, all operational activities are required to meet FPRs established to protect the beneficial uses of water.

Of greatest concern to water quality, are ground based slash treatments (tractor piling) which typically disturb soil during the process. There is no indication that these regulations will significantly increase activities that cause this ground disturbance.

Another potential impact resulting from these regulations is need to ensure sufficient hazard reduction is included to prevent wildfire, and avoid wildfire impacts on water quality in the initial years following a wildfire. The proposed regulation, combined with other existing FRPs, contains adequate protective measures to ensure that both hazard reductions is achieved to reduce wildfire threats, and burning operations are in a manner that will avoid wildfire escape.

Fish, wildlife, and plant habitat: The nature of the projects is expected to disturb the ground cover and understory components of the forested habitats, primarily in upland (non riparian) areas. The projects affects are primarily related to treatments of

fuels on the ground surface created by logging operations, with the primary concern is the understory habitat requirements. Overstory forested canopies are expected to remain intact, with little to no change in the California Wildlife Habitat Relationship size and density classification.

The requirements for protection of the fish and wildlife and plant habitat are required by the FPRs to be incorporated into the plan. These include actions or alternative that minimizes individual project effects and cumulative effects over key habitat types. Additionally, FPRs list Sensitive Species and require protective measures to avoid individual or cumulative impacts. FPRs also require other CDFG, NOAA and USFWS applicable laws and designated species impacts to be considered and comply with as required. Among FPR requirements are:

- protection of wildlife under Article 9, Wildlife Protection Practices, 14 CCR 959 to 959.16 . Together, they contribute to minimize adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- As part of the preharvest project design, the RPF shall evaluate and incorporate habitat requirements for fish, wildlife and plant species in accordance with 14 CCR §§ 898.2, 956.9 and 959.
- Forest Practice Rules Section 898.2 – Special Conditions Requiring Disapproval of Plans – requires the Director to disapprove a plan if:
“Implementation of the plan as proposed would result in either a "taking" or finding of jeopardy of wildlife species listed as rare, threatened or endangered by the Fish and Game Commission, the National Marine Fisheries Service, or Fish and Wildlife Service, or would cause significant, long-term damage to listed species. The Director is not required to disapprove a plan, which would result in a "taking" if the "taking" is incidental and is authorized by a wildlife agency acting within its authority under state or federal endangered species acts.
“Implementation of the plan would irreparably damage plant species listed as rare or endangered by the Department of Fish and Game and when the timber owner fails to comply with F&GC 1913.
“Implementation of the plan as proposed would result in the taking of an individual Northern Spotted Owl prohibited by the Federal Endangered Species Act.”
- Section 955.3 – Protection of Natural Resources – requires that site preparation activities comply with the wildlife and habitat protection provisions of 14 CCR Article 9. and performed in a manner which does not deleteriously affect species which are threatened, endangered, or designated by the Board as species of special concern. The Director may allow exceptions to this standard in the plan, after consultation with the Department

of Fish and Game pursuant to the California Endangered Species Act (F&G Code 2050-2098).

“Site preparation activities shall comply with the wildlife and habitat protection provisions of 14 CCR Article 9. Site preparation shall be performed in a manner, which does not deleteriously affect species which are threatened, endangered, or designated by the Board as species of special concern. (935.3)

- Section 14 CCR 959 –Wildlife Practices Resources

“Timber operations shall be planned and conducted to maintain suitable habitat for wildlife species. These provisions are in addition to those directly or indirectly provided in other rules of the Board of Forestry.

Timber operations shall be planned and conducted to maintain suitable habitat for wildlife species as specified by the provisions of this Article. These provisions are in addition to those directly or indirectly provided in other rules of the Board.

“Within the logging area all snags shall be retained to provide wildlife habitat except as follows:

“During timber operations, nest tree(s), designated perch trees(s), screening tree(s), and replacement trees(s) of Sensitive species shall be left standing and unharmed except as otherwise provided in the rules. 959.2

“Buffer zones shall be established around all nest trees containing active nests. The buffer zones shall be designed to best protect the nest site and nesting birds from the effects of timber operations. In consultation with the Department of Fish and Game, and as approved by the Director, an RPF or supervised designee shall flag the location of the boundaries of the buffer zone, and the configuration of the buffer zone. Consultation with the Department of Fish and Game shall be required pursuant to 14 CCR 898. Consideration shall be given to the specific habitat requirements of the bird species involved when configuration and boundaries of the buffer zone are established. 959.3 (a). Critical periods are established for each species and requirements shall apply during these critical periods as outlined in 959.3(d).

“Where significant adverse impacts to non-listed species are identified, the RPF and Director shall incorporate feasible practices to reduce impacts as described in 14 CCR 898.959.4

- Section 954

“Felling practices shall conform to requirements of 14 CCR 954.4 to protect bird nesting sites. 954.1(d)

“Slash and debris from timber operations shall not be bunched adjacent to residual trees required for silvicultural or wildlife purposes, or placed in locations where they could be discharged into a Class I or II watercourse, or lake. 954.2(e)

Such evaluations allow conclusion those requirements FPRs are determined to be appropriate to mitigate potential adverse impacts to a level less than significant.

Aesthetic setting: The nature of the projects conducted in accordance with the proposed regulation includes treating slash created by logging operations. Short term visual impact can occur near visible publicly travel roads and near homes. These impacts can include viewing scattered dead vegetation and smoke generated from pile burning. Evaluations of these potential impacts are required by the FPRs in sections on analysis of cumulative Effects. These requirements FPRs were determined to be appropriate to mitigate potential adverse impacts to a level less than significant.

Air Quality: Certain types of slash treatment operations using burning can have an impact on air quality. All burning options must be compliant with FPRs and other laws relating to air quality. These requirements were determined to be appropriate to mitigate potential adverse impacts to a level less than significant.

Air quality effects of the proposed regulation, both negative and positive, are associated with 1) short term emissions from burning slash 2) substantial future reduction in long term wildfires and the emissions they produce. Negative air quality impacts resulting from the project can result in a violation of air quality standards, exposure of sensitive receptors to substantial pollutant concentration, creation of objectionable odors to people, and contributions global climatic changes.

Immediate short term impacts of project-generated slash burning take place over short amounts of time (e.g., 1-3 days) over a period of 1-3 months in the fall or winter at any time during the expected lifetime of a project (December, 2009 sunset). The amount of emissions in any give year is proportional to the expected amount of projects that use pile and burning as a slash treatment method.

Air quality associated with a wildland fire occurring on a hot August day can be seriously degrading compared to the air quality with no fire at all and results in tons of particulate matter emitted. Particulate matter output is directly associated with both the tons of slash on the ground and the amount of standing green vegetation that is consumed during the fire. Until either the fuel is reduced, expected impacts to air quality from a wildland fire are likely to exceed the impacts of no treatment or the proposed regulation.

All forestry-related fuel burning must comply with the regulations of the California Air Resource Control Board and local air pollution control districts. Compliance includes timing of burning and quantity of smoke and particulate matter generated. Such requirements are outlined in the FPRs. These practices and mitigation will reduce individual significant impact and cumulative impacts from implementation of the proposed regulation to less than significant. Additionally, long term emission will be reduced because the net reductions of emission produced by wildfires is much less than emissions produced when fire burns through areas treated under the proposed regulation.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT ADVERSE ECONOMIC IMPACT ON ANY BUSINESS

This regulatory proposal is not considered to cause a significant adverse economic impact because it is a voluntary action. Each person or entity will have made their own investigation and conclusions on any net benefits to be derived by implementing the regulation. The proposed action is especially designed to be “regulatory relief”, and reduce the economic burden of treating hazardous slash. The Board did not specifically estimate that the difference in economic relief provided by this regulation compared to existing regulations. The wide range of possible slash treatment/hazard reduction methods make it unreasonable to estimate likely comparable costs. However, two “cost centers” are identified which would be affected by this regulation. The first is actual slash treatment operational costs. Typical slash treatment cost for logging operations cost \$25/acre to over \$1000/acre. Given the often high expense, even minor cost savings to plan submitters can add up to substantial saving to landowners with large project areas. If this regulation resulting the RPF using a slash treatment less expense than the existing prescriptive rules, cost saving would be attained.

The second cost center is in documentation work necessary for use of the proposed regulation. Currently, alternative slash treatment methods may be proposed by a RPF, but each proposal goes through a unique review process as described in the FPRs. Under the proposed regulation, such review would likely minimize to the extent the review. The reduced documentation and review would result in an unestimated cost savings per plan, possibly adding up to several hours of RPF time per plan.

ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

The Board has considered several alternatives to improve the economic efficiency of the regulation and make it more cost effective for small businesses to use. Alternative #1 and # 2 would provide lessened adverse impact on small business than the existing regulation. However, the proposed regulation provides greater cost savings due to providing a wider geographic scope where the regulation would apply, and also provide more general performance criteria allowing the RPF to devise the most cost effect slash treatment standards while meet the regulation goal, the FPRs requirements and the Forest Practices Act.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS

The Board of Forestry and Fire Protection consulted the following listed information and/or publications as referenced in this *Initial Statement of Reasons*. Unless otherwise noted in this *Initial Statement of Reasons*, the Board did not rely on any other technical, theoretical, or empirical studies, reports or documents in proposing the adoption of this regulation. The Technical Documents are grouped together based similarity of content for

ease of organization.

Technical Documents I: research related documents

1. Vold, T. 2003. Experience Developing a Results –Based Forest Practice Code for British Columbia, Canada.
2. Alexander, Martin, PhD, RPF. Understanding Fire Behavior, The Key to Effective Fuel Management.
3. Pacific Northwest Research Station. June 2004. Science Update, Reducing Fire Hazard: Balancing Cost and Outcomes.
4. Stephens, Scott, L. Testimony for the Resources Subcommittee on Forest and Forest Health Field Hearing on the Sierra Nevada Forest Plan: Protecting Communities, Water, Wildlife, and the Forest of Sierra Nevada.
5. USDA Forest Service Rocky Mountain Experiment Station. April, 2004. Science Basis for Changing Forest Structure to Modify Wildfire Behavior and Severity. GT: RMRS-GTR-120
6. United States General Accounting Office. Western National Forest: A Cohesive Strategy is Needed to Address Catastrophic Wildlife Threats. GAO/RCED-99-65.
7. Carey, Henry; Schumann, Martha. Modifying WildFire Behavior- The Effectiveness of Fuel Treatments.
8. “CUMULATIVE EFFECTS ANALYSIS AND ADDITIONAL DISCUSSION OF POSSIBLE SIGNIFICANT ADVERSE ENVIRONMENTAL EFFECTS”
Can be viewed at: Permanent Fuel Hazard Reduction , 2004
http://www.bof.fire.ca.gov/board/board_proposed_rule_packages.aspx
9. Greenwood, K. June 3, 2005. Performance –based Pilot Update
10. California License Foresters Association. Presentation to BOF Policy Committee. 2005. Performance base Forest Practice Proposal

Pursuant to Government Code 11346.2(b)(6): In order to avoid unnecessary duplication or conflicts with federal regulations contained in the Code of Federal Regulations addressing the same issues as those addressed under the proposed regulation revisions listed in this *Statement of Reasons*; the Board has directed staff to review the Code of Federal Regulations. The Board staff determined that no unnecessary duplication or conflict exists.

PROPOSED TEXT

The proposed revisions or additions to the existing rule language are represented in the following manner:

UNDERLINE indicates an addition to the California Code of Regulations, and

~~STRIKETHROUGH~~ indicates a deletion from the California Code of Regulations.

All other text is existing rule language.

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